

NOT FOR PUBLICATION

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS & ST. JOHN

JAMES P. CARROLL,	)	
	)	
Plaintiff,	)	Civil No. 2008-96
	)	
v.	)	Adv. Proc. No. 08-03009
	)	
DAWN PROSSER,	)	
	)	
Defendant.	)	
_____	)	

**ATTORNEYS:**

**Bernard C Pattie, Esq.**  
St. Croix, U.S.V.I.  
*For James P. Carroll,*

**Karin A. Bentz, Esq.**  
**Christopher A. Kroblin, Esq.**  
St. Thomas, U.S.V.I.  
*For Dawn Prosser.*

**ORDER**

**GÓMEZ, C.J.**

On June 17, 2008, Dawn Prosser ("Prosser") filed a notice of appeal in the above-captioned matter. On July 21, 2008, Prosser Prosser filed a motion for an extension of time within which to file her appellant's brief. In the July 21, 2008, motion, Prosser requested that the deadline for filing her appellant's brief be extended until August 4, 2008. On August 1, 2008, Prosser filed a second motion for an extension of time within

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which to file her brief. The August 1, 2008, motion sought to extend the filing deadline to August 15, 2008.

On August 19, 2008, this Court entered an Order granting the July 21, 2008, and August 1, 2008, motions, *nunc pro tunc* to August 4, 2008, and August 15, 2008, respectively. As of the date of this Order, Prosser has still not filed an appellant's brief in this matter. Because Prosser has failed to file an appellant's brief, the above-captioned appeal may be dismissed for failure to prosecute. *See, e.g., In re E Toys Inc.*, 263 Fed. Appx. 235, 238, 2008 WL 241367 at \*2 (3d Cir. Jan. 30, 2008) (affirming the district court's dismissal of a bankruptcy appeal based on the appellant's "repeated failures to adhere to ordered briefing deadlines") (unpublished).

Accordingly, it is hereby

**ORDERED** that Prosser, no later than January 22, 2009, shall show cause in writing why this matter should not be dismissed for failure to prosecute.

S\\_\_\_\_\_  
**CURTIS V. GÓMEZ**  
Chief Judge